

**EXHIBIT N**

SUPREME COURT OF THE STATE OF NEW YORK  
COUNTY OF NASSAU

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ELLIOT ZARETZKY, HAROLD ZARETZKY,  
SHIRLEY ZARETZKY, and MAXI-AIDS INC.

Index No. 17869/08

Plaintiffs,

-against-

**AFFIRMATION OF  
DAVID WACHOLDER**

AARON BERLIN, FEIGE ZARETZKY,

Defendants.

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David Wacholder, being duly affirmed deposes and states:

1. I know the Defendants Aaron Berlin and Feige Zaretzky approximately three years. Aaron Berlin ("Aaron") is the father of Feige Zaretzky ("Feige"), a deaf person with a severe learning disability, which includes her lacking reading comprehension and writing abilities. Aaron was born in the Ukraine and previously resided in Israel and is not very literate in reading or writing English.

2. Upon hearing from Aaron Berlin that his daughter was continuously being dragged through the courts by her now former father-in-law and husband, namely Elliot and Harold Zaretzky, I offered them my assistance free of charge, of which he accepted.

3. While I did tell Aaron that I was not a lawyer, I wrongfully told him that I was fully familiar with reading court briefs and understanding legal papers and had knowledge and experience in motion writing.

4. Thereafter, I familiarized myself with much of the ongoing litigation and background. On occasion I accompanied Aaron and Feige to court. It was very clear to me that Feige was a victim of the unscrupulous individuals.

5. In 2008 Feige was not receiving maintenance and child support payments from Harold, as was ordered by the court, and she could not properly provide food and hot water for her three children.

6. At said time my heart pained me from the injustices being committed against Feige and her children. I tried to describe within the two emails the atrocities being perpetrated by the plaintiffs against Feige and her father. Thereafter, I had advised Aaron to send those emails to Elliot at his corporate e-mail address.

7. I never advised Aaron or Feige of the contents stated in the document, only that I was certain that sending same would result in Feige receiving her court ordered support.

8. Subsequently, the plaintiffs commenced an action for libel against Aaron and Feige. Aaron was upset after learning what I wrote in the emails, but I convinced him that there was nothing to be concerned about; that he and Feige didn't need an attorney because everything I wrote was absolutely true, and that I could it prove to the court without a problem.

9. Aaron trusted me, and Feige depended on her father's better judgment.

10. I wrote an answer to the complaint on behalf of Aaron and Feige and sent it to plaintiffs within twenty days. I believed at the time, that it was easily readable and that I had written it correctly as it denied all the allegations of wrong doing in the complaint and stated that the emails were entirely true.

11. Thereafter, the plaintiffs moved for summary judgment. The motion was returnable on December 5, 2008. I produced papers in defense of the motion on behalf of the defendants. However, I didn't read the notice properly and wrongfully advised Aaron that he was only required to mail the opposing papers by the 10<sup>th</sup> day of December 2008. Additionally, I misadvised Aaron that it was not necessary to physically appear in court. Aaron trusted my incorrect instructions and thereafter mailed the papers at the post office and obtained a receipt.

12. On January 9, 2009, the court granted the plaintiffs motion for summary judgment and set March 4, 2009 as the date for inquest. The March 4, 2009 hearing was adjourned. However, I was unaware that the date was adjourned. Instead, I believed that plaintiffs abandoned the action, because it was of such a frivolous nature, and because defendants never received any notification of a new hearing date. Consequently, I advised Aaron that the matter was abandoned. Feige was advised the same.

13. In November 2009 I, and the defendants became aware for the first time that there had been a hearing on May 7, 2009 and that a judgment for damages had been issued. I subsequently filed more papers at the courthouse on behalf of defendants.

14. About ten days ago, Aaron, after showing my papers to someone was told that he had been misled. He called me and accused me of having fooled and misguided him. Aaron told me that my papers were painfully incoherent, and not readable, and that I had given him wrong directions on every turn.

15. I admit that I made a great mistake in allowing myself to be involved in the case. I now realize that I had given Aaron and Feige very bad advice. However, I never meant to harm them in any way. I truly believed at the time that I wrote well and that I could help them be successful. Obviously, I was very wrong.

16. I want to truly apologize to this Honorable Court for what I have done. I realize I have made a great mistake and that I have embarrassed the Court, as well as the defendants and myself. However, I wish to assure the Court that I will never again offer anyone any legal advice and will never again offer to write papers for anyone.

Dated: Brooklyn, New York  
August 21 2010

  
DAVID WACHOLDER August 21/2010  
Guruwan Seeram  
Notary Public State of New York  
No. 01SE6071140  
Qualified in Queens County  
Commission Expires 03/11/2014  
08/02/10

Affirmed to before me  
this 21<sup>st</sup> day of August, 2010